United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Shammar Simmons Cr.: 06-00842-001

Name of Sentencing Judicial Officer: Honorable William H. Walls, U.S. District Judge

Date of Original Sentence: 12/19/01 (ED/VA) *Violation of Supervised Release*: 11/10/04 (ED/VA)

Transfer of Jurisdiction to D/NJ: 10/16/06

Original Offense: Conspiracy to Steal Firearms from a Federally Licensed Firearms Dealer; Possession

of a Stolen Firearm

Original Sentence: 24 months imprisonment; 3 years supervised release; \$200 special assessment; \$34,651.47 restitution. Special conditions: Drug testing and/or treatment; financial disclosure; no new debt; mental health treatment; and motor vehicle restrictions.

Re-sentence on Violation: 13 months imprisonment; 23 months supervised release; previous conditions continued.

Type of Supervision: Supervised Release Date Supervision Commenced: 06/28/06

Assistant U.S. Attorney: To be assigned Defense Attorney: To be assigned

PETITIONING THE COURT

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The probation offic	er believes that the offender has violated the following condition(s) of supervision
Violation Number	Nature of Noncompliance
1	The offender has violated the supervision condition which states 'You shall not commit another federal, state, or local crime.'
	On October 17, 2006, Simmons was arrested by the Newark, New Jersey Police Department and charged with possession of CDS (heroine/cocaine), distribution of CDS, possession with intent to distribute CDS within 1,000 feet from a school, resisting arrest, and hindering prosecution with force.
	Simmons is presently incarcerated at the Essex County Jail on \$60,000 bail.

2 The offender has violated the supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.' During an office visit on September 26, 2006, Simmons submitted a urine specimen which tested positive (by laboratory analysis) for marijuana. 3 The offender has violated the supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$34,651.47; it shall be paid in the following manner: \$300 monthly.' Since commencement of supervision, Simmons has failed to make any payments toward his restitution. Simmons was also Court ordered to pay a total special assessment of \$200. To date, only \$30 has been paid toward his entire financial obligation. 4 The offender has violated the supervision condition which states ' You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.' Simmons has failed to submit monthly supervision reports for August and September 2006. I declare under penalty of perjury that the foregoing is true and correct. By: Anthony J. Nisi U.S. Probation Officer Date: 10/20/06 THE COURT ORDERS: [The Issuance of a Warrant [] The Issuance of a Summons. Date of Hearing: [] No Action [] Other Judicial Officer